

NOT PASSED

ORDINANCE NO, 48----

AN ORDINANCE GRANTING TO CENTRAL CALIFORNIA TRACTION COMPANY, A CORPORATION, ITS SUCCESSORS IN INTEREST AND ASSIGNS, IN SO FAR AS IT LIES IN THE POWER OF THE CITY OF LODI TO GRANT THE SAME, THE! RIGHT, PRIVILEGE, PERMISSION, RIGHT OF WAY AND FRANCHISE TO CONSTRUCT, LAY DOWN, MAINTAIN AND OPERATE FOR THE TERM OF FORTY-SEW YEARS A SINGLE SIDE TRACK OH SWITCH OF STANDARD GAUGE, FOR THE TRANSPORTATION OF BOTH FREIGHT AND PASSENGERS FOR HIRE, TOGETHER WITH THE RIGHT, PRIVILEGE. PERMISSION, RIGHT OF WAY AND FRANCHISE TO CONSTRUCT, LAY DOWN, MAINTAIN AND OPERATE SCCH POLES AND OTHER APPLIANCES AND APPARATUS FOR PROPELLING, DRAWING OR RUNNING THEREON CARS FOR THE TRANSPORTATION OF BOTH FREIGHT AND PASSENGERS FOR HIRE, PHIOPELLED, DRAWN OH RUN BY ELECTRICITY SUPPLIED BY OH TAKEN FROM OVERHEAD OR UNDERGROUND WIRE OK WIRES OR BY ELECTRICITY SUPPLIED OH TAKEN OTHERWISE OH BY WIRE ROPES RUNNING UNDER THE STREETS AND MOVED BY STATIONARY ENGINES OH BY ANY LAWFUL MOTIVE POWER OTHER THAN MOVABLE STEAM ENGINES, HORSES OR MULES, ON, OVER AND ALONG THE STREETS, AVENUES, ALLEYS, LANES, PLACES AND ROUTE IN THE CITY OF LODI, COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA THE! CENTER LINE THEREOF DESCRIBED AS FOLLOWS, TOWIT:

Beginning **at** a point on the Central California Traction Company's track on Lodi **Avenue** fifty (50) feet more or less East of the East line of Main Street, thence on a **curve** of 100 foot radius, more or less into Main Street; thence **Northerly** to a point on the South line of Walnut Street **and**, 35 feet West of the East line of Main Street; thence North parallel to the East line of said Main Street to the South line of Elm Street, thence angling to a line parallel to the

East line of Main Street and 43 feet West of same; thence on this line Northerly to a point 90 feet more or less South of the South line of Lockeford Street; thence Northerly on a reversed curve of 165 foot radius, more or less to the North line of Lockeford Street. Also beginning at a point 35 feet North of the North line of Locust Street and 43 feet West of the East line of Main Street; thence Southwesterly along a curve of 110 foot radius to a line 6 feet North of the South line of Locust Street; thence Westerly along said line to the Easterly line of the Southern Pacific Railroad Company's right of way.

The Board of Trustees of the City of Lodi do ordain as follows:

Section 1. The right, privilege, permission, right of way and franchise is hereby granted unto CENTRAL CALIFORNIA TRACTION COMPANY, a corporation, its successors in interest and assigns, in so far as it lies within the power of the City of Lodi to grant the same, to use for the term of forty-seven years from the date of the passage of this ordinance, the streets, avenues, alleys, lanes, places and route in the City of Lodi, County of San Joaquin, State of California, hereinafter named and described and to that end the said Central California Traction Company, a corporation, its successors in interest and assigns in so far as it lies within the power of the said City of Lodi to grant the same, is hereby granted the right, privilege, permission, right of way and franchise to construct, lay down, maintain and operate and repair for the term of forty-seven years a single side track or switch of standard gauge for the transportation of both freight and passengers for hire, together with the right, privilege, permission, right of way and franchise to construct, lay down, maintain and operate such poles and other appliances and

apparatus for propelling, drawing or running thereon cars for the transportation of both freight and passengers for hire, propelled, drawn or run by electricity supplied by or taken from overhead or underground wire or wires or by electricity supplied or taken otherwise or by wire ropes running under the streets and moved by stationary engines or by any lawful motive power other than movable steam engines, horses or mules, on, over and along the following streets and avenues, alleys, places, lanes and route in the City of Lodi, County of San Joaquin, State of California, the center line thereof described as follows, to-wit:

Beginning at a point on the Central California Traction Company's track on Lodi Avenue fifty (50) feet more or less East of the East line of Main Street, thence on a curve of 100 foot radius, more or less into Main Street, thence Northerly to a point on the South line of Walnut Street and 35 feet West of the East line of Main Street; thence North parallel to the East line of said Main Street to the South line of Elm Street, thence angling to a line parallel to the East line of Main Street and 43 feet West of same; thence on this line Northerly to a point 90 feet more or less South of the South line of Lockeford Street; thence Northerly on a reversed curve of 165 foot radius, more or less to the North line of Lockeford Street. Also beginning at a point 35 feet North of the North line of Locust Street and 43 feet West of the East line of Main Street; thence Southwesterly along a curve of 110 foot radius to a line 6 feet North of the South line of Locust Street; thence Westerly along said line to the Easterly line of the Southern Pacific Railroad Company's right of way.

Section 2. The grantee of said franchise and its assigns shall have the right to excavate and remove portions of the street or streets along the route above described,

necessary to properly construct said work and to erect all
needful apparatus to properly build said side track or switch;
provided, however, that said Central California Traction
Company, its successors in interest and assigns shall not be
permitted to stand any cars upon the spur track, franchise for
which is hereby granted which runs into Locust Street except
for the purpose of loading or unloading cars and then only
in such manner as not to unnecessarily obstruct the travel
over and along said Locust Street and that no car shall at
any time be stood thereon except immediately Nor
property belonging to the S. J. Roth and Mary W. Roth

Provided, ~~that~~, however, that all poles
which may be necessary to be placed in the streets for the
proper construction and maintenance of said line of railroad
shall, where streets are eighty (80) feet, in width ~~be~~
be placed 11-1/2 feet from the property line on said
streets and where said streets are less than eighty (80) feet
in width said poles shall be placed 9-1/2 feet from the
property line on said streets.

Section 3. The grantee of said franchise or
its successors in interest or assigns shall at its own expense
pave or repave, macadamize or remacadamize, grade or regrade
the entire length of the streets occupied by the tracks and
between the rails thereof and two feet on the outside of the
same with the same material as may be used for such purposes
by the City of Lodi and under the same supervision and speci-
fications and in the same manner as upon the streets and por-
tions of streets over which the said side track or switch
track runs and shall keep the same constantly in repair flush
with the streets and with good crossings.

Section 4. This ordinance shall take effect
and be in force from and after its final passage and approval.